

Remarks

Applicants respectfully request reconsideration of the present U.S. Patent application as amended herein. Claims 1, 7, 13, 19, 29 and 39 have been amended. No claims have been added or canceled. Thus, claims 1-46 are pending.

CLAIM REJECTIONS – 35 U.S.C. § 102(e)

Claims 1-5, 7-11, 13-17, 19, 20, 23-25, 29, 30, 33-35, 39, 40 and 42-44 were rejected as being anticipated by U.S. Patent No. 6,681,109 issued to Leifer (*Leifer*). For at least the reasons set forth below, Applicants submit that claims 1-5, 7-11, 13-17, 19, 20, 23-25, 29, 30, 33-35, 39, 40 and 42-44 are not anticipated by *Leifer*.

Claim 1 recites:

receiving customer information corresponding to a customer-provided wireless device from a party including one or more customers requesting services from a service establishment;
generating service availability information in response to receiving the customer information; and
providing, to a wireless service provider that provides wireless services to the customer-provided wireless device, the service availability information.

Thus, Applicants claim providing service availability to a customer-provided wireless device. Claim 7 is directed to a computer-readable medium and recites similar limitations.

In contrast, *Leifer* discloses a system in which a table or location has an associated keypad device. See col. 3, lines 8-11; col. 4, lines 8-15 and 28-31. Server personnel are provided with paging devices that receive requests from the keypad devices. See col. 3, lines 8-11; col. 4, lines 17-19. A customer may request services

from a server via keypad-pager communication. See col. 3, lines 35-65. However, *Leifer* does NOT utilize customer-provided wireless devices. Further, *Leifer* does NOT disclose providing service availability information to customers via the customer-provided wireless devices. Therefore, *Leifer* cannot anticipate the invention as claimed in claims 1 and 7.

Claims 2-5 depend from claim 1 and recite wireless devices, types of service establishments, types of customer information corresponding to the wireless devices and types of service availability information. Claims 8-11 depend from claim 7 and similarly recite wireless devices, types of service establishments, types of customer information corresponding to the wireless devices and types of service availability information. *Leifer* does not disclose any of these further limitations. Therefore, *Leifer* cannot anticipate the inventions claimed in claims 2-5 and 8-11.

Claim 13 recites:

- a memory controller;
- a device for accessing a computer-readable medium coupled with the memory controller; and
- an article comprising a computer-readable medium having stored thereon instructions that, when executed, cause one or more processors to receive customer information corresponding to a customer-provided wireless device from a party including one or more customers requesting services from a service establishment, generate service availability information in response to receiving the customer information, and provide, to the user provided wireless device, the service availability information.

As discussed above, *Leifer* does not disclose providing service availability information to customers via the customer-provided wireless devices. Therefore, *Leifer* cannot anticipate the invention as claimed in claim 13.

Claims 14-17 depend from claim 13 and recite wireless devices, types of service establishments, types of customer information corresponding to the wireless devices and types of service availability information. *Leifer* does not disclose any of these further limitations. Therefore, *Leifer* cannot anticipate the inventions claimed in claims 14-17.

Claim 19 recites:

receiving customer information corresponding to a customer-provided wireless device from a party including one or more customers requesting services from a service establishment;
generating service availability information in response to receiving the customer information; and
providing, to the customer-provided wireless device, the service availability information.

Thus, Applicants claim providing service availability to a customer-provided wireless device. Claim 29 is directed to a computer-readable medium and recites similar limitations.

As discussed above, *Leifer* does not disclose providing service availability information to customers via the customer-provided wireless devices. Therefore, *Leifer* cannot anticipate the invention as claimed in claims 19 and 29.

Claims 20 and 23-25 depend from claim 19 and recite wireless devices, types of service establishments, types of customer information corresponding to the wireless devices and types of service availability information. Similarly, claims 30 and 33-35 depend from claim 29 and recite wireless devices, types of service establishments, types of customer information corresponding to the wireless devices and types of service availability information. *Leifer* does not disclose use of these customer-provided wireless devices. Therefore, *Leifer* does not anticipate the invention as claimed in claims 20, 23-25, 30 and 33-35.

Claim 39 recites:

one or more substantially omnidirectional antenna(e);
a device for accessing a computer-readable medium coupled with
the memory controller; and
a computer-readable medium having stored thereon instructions
that, when executed, cause one or more processors to receive customer
information corresponding to a customer-provided wireless device
corresponding to a party including one or more customers requesting
services from a service establishment, generate service availability
information in response to receiving the customer information, and
provide, to the customer-provided wireless device, the service availability
information.

As discussed above, *Leifer* does not disclose providing service availability information to customers via the customer-provided wireless devices. Therefore, *Leifer* cannot anticipate the invention as claimed in claim 39.

Claims 40 and 42-44 depend from claim 39 and recite wireless devices, types of service establishments, types of customer information corresponding to the wireless devices and types of service availability information. *Leifer* does not disclose any of these further limitations. Therefore, *Leifer* cannot anticipate the inventions claimed in claims 40 and 42-44.

CLAIM REJECTIONS – 35 U.S.C. § 103(a)

Claims 6, 12, 18, 21, 22, 26-28, 31, 32, 36-38, 41, 45 and 46 were rejected as being unpatentable over *Leifer* in view of U.S. Patent No. 6,650,902 issued to Richton (*Richton*). For at least the reasons set forth below, Applicants submit that claims 6, 12, 18, 21, 22, 26-28, 31, 32, 36-38, 41, 45 and 46 are not rendered obvious by *Leifer* and *Richton*.


Each of claims 6, 12, 18, 21, 22, 26-28, 31, 32, 36-38, 41, 45 and 46 depends from an independent claim rejected as anticipated by *Leifer* and discussed above. *Richton* is not cited to teach, nor does *Richton* teach those claim elements discussed above that are lacking in *Leifer*. Therefore, no combination of *Leifer* and *Richton* can result in the invention as claimed in claims 6, 12, 18, 21, 22, 26-28, 31, 32, 36-38, 41, 45 and 46. Accordingly, Applicants request that the rejection of claims 6, 12, 18, 21, 22, 26-28, 31, 32, 36-38, 41, 45 and 46 be withdrawn.

CONCLUSION

For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, claims 1-46 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application. Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

Date: FEB 14, 2006


Paul A. Mendonsa
Attorney for Applicant
Reg. No. 42,879

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026
(503) 439-8778